

REMARKS

The Office Action dated May 29, 2008, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Status of the Claims

Claims 26, 30, 31, 33-36, 39, 40, 42, 53 and 55-57 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claims 1-6, 9-20, 22-25 and 43-51 have been cancelled without prejudice or disclaimer. New claims 58-64 have been added. No new matter has been added. Thus, claims 26-31, 33-40, 42 and 53-64 are currently pending in the application and are respectfully submitted for consideration.

Rejection under 35 U.S.C. § 112

Claims 1, 15, 26, 33, 42 and 57 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. More specifically, the Office Action stated on page 2 that “the amended claims contain the limitation ‘unknown readiness,’ for which no support is found either in the specifications or claim language in previous presentation.” Applicant’s representative conducted a telephone Interview with the Examiner on July 10, 2008. During the Interview, as evidenced by the Interview Summary dated July 15, 2008, the Examiner agreed that “removing the expression ‘unknown readiness’ from the amended claims would overcome the outstanding 35 U.S.C. 112, first paragraph rejection”.

Independent claim 16 has been amended herein to recite that “the triggering message is receivable from the mobile communication system regardless of whether the mobile terminal is ready to participate in the packet-based service session”. Independent claims 33, 42 and 57, which each have their own scope, have been similarly amended. Support for the amendments is found, for example, at least in paragraphs [0005], [0007], [0008], [0012] and [0013] of the present specification. The recitations of “unknown readiness” have been removed. Independent claims 1 and 15 have been cancelled without prejudice or disclaimer.

Accordingly, it is respectfully submitted that the rejection is overcome and respectfully requested that the rejection be withdrawn.

New Claims

New claims 58-64 have been added. Independent method claim 60, which has its own scope, recites similar features to independent apparatus claim 42. Independent software claims 63 and 64, which each have their own scope, recite similar features to method claims 26 and 60, respectively. Claims 58, 59, 61 and 62, which each have their own scope, depend from independent claims 42 or 60 and recite similar features to claims 11 and 14. No new matter has been added.

Conclusion

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by

telephone, Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosure: Request for Continued Examination
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